

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 13TH FEBRUARY 2007 / 24TH MAGHA 1928

Bail Appl.No. 841 of 2007()

CRIME NO. 40 OF 2007 OF PALARIVATTOM POLICE STATION

PETITIONERERS:

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1. SABU P.B., S/O. P.K. BAVA,
AGED 26 YEARS, PONKATTILPARAMBIL HOUSE,
KOTTANKAVE, VENNALA P.O., KOCHI-28.
 2. SHIHAB C.I., S/O. A.A.ISMAIL,
AGED 24 YEARS, CHULLIPARAMBIL HOUSE,
CHALIKKVATTOM, VENNALA P.O., KOCHI-28.
 3. LATHEEF C.H., S/O. HAMEED,
AGED 28 YEARS, CHULLIPARAMBIL HOUSE,
CHALIKKAVATTOM, VENNALA P.O., KOCHI-28.

BY ADV. SRI.T.K.AJITHKUMAR (VALATH)

RESPONDENTS:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 13/02/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 841 of 2007

DATED: 13th day of February , 2007

ORDER

Petitioners who are accused Nos. 2, 3 and 5 in Crime No. 40/2007 of Palarivattom Police Station for offences punishable under Sections 143, 147 148, 324 and 427 and 308 read with Sec. 149 of I.P.C., seek anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The case of the prosecution is that on 25-01-2007 which was observed as a motor vehicle bandh day, the accused persons pelted stones at the school bus of the Bharathiya Vidhya Bhavan resulting in severe injuries to a teacher and a student and damage to the school bus. I am not inclined to grant anticipatory bail to the petitioners. But at the same time, I am inclined to permit the petitioners to surrender before the Investigating Officer and then have their application for regular bail ordered by the Magistrate concerned. Accordingly, the petitioners shall surrender before the Investigating Officer on any day between 19-02-007 and 21-02-2007 for the purpose of custodial interrogation and the petitioners shall thereafter be produced before the Magistrate having jurisdiction, on the same day. The Magistrate shall release the petitioners on bail on appropriate conditions including one obliging them to make themselves available for interrogation as and when required by the investigating officer.

This petition is disposed of as above.

V.RAMKUMAR, JUDGE

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